

will be determined under the rules of origin set forth in §102.21, although the application of those rules cannot result in Israel being the country of origin of the product.

[CBP Dec. 05-32, 70 FR 58013, Oct. 5, 2005]

§ 102.23 Origin and Manufacturer Identification

(a) *Textile or apparel product manufacturer identification.* All commercial importations of textile or apparel products must identify on CBP Form 3461 (Entry/Immediate Delivery) and CBP Form 7501 (Entry Summary), and in all electronic data transmissions that require identification of the manufacturer, the manufacturer of such products through a manufacturer identification code (MID) constructed from the name and address of the entity performing the origin-conferring operations pursuant to §102.21 or §102.22 of this part, as applicable. The code must be accurately constructed using the methodology set forth in the appendix to this part, including the use of the two-letter International Organization for Standardization (ISO) code for the country of origin of such products. When a single entry is filed for products of more than one manufacturer, the products of each manufacturer must be separately identified. Importers must be able to demonstrate to CBP their use of reasonable care in determining the manufacturer. If an entry filed for such merchandise fails to include the MID properly constructed from the name and address of the manufacturer, the port director may reject the entry or take other appropriate action. For purposes of this paragraph, “textile or apparel products” means goods classifiable in Section XI, Harmonized Tariff Schedule of the United States (HTSUS), and goods classifiable in any 10-digit HTSUS number outside of Section XI with a three-digit textile category number assigned to the specific subheading.

(b) *Incomplete or insufficient information.* If the port director is unable to determine the country of origin of a textile or apparel product, the importer must submit additional information as requested by the port director. Release of the product from CBP custody will be denied until a determina-

tion of the country of origin is made based upon the information provided or the best information available.

(c) *Date of exportation.* For quota, visa or export license requirements, and statistical purposes, the date of exportation for textile or apparel products listed in §102.21(b)(5) will be the date the vessel or carrier leaves the last port in the country of origin, as determined by application of §102.21 or §102.22, as applicable. Contingency of diversion in another foreign territory or country will not change the date of exportation for quota, visa or export license requirements or for statistical purposes.

[CBP Dec. 05-32, 70 FR 58013, Oct. 5, 2005, as amended at CBP Dec. 11-09, 76 FR 14584, Mar. 17, 2011]

§ 102.24 Entry of textile or apparel products.

Textile or apparel products subject to section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854), whether or not the requirements set forth in §102.21 or §102.22, as applicable, have been met, will be denied entry where the factory, producer, manufacturer, or other company named in the entry documents for such textile or apparel products is named in a directive published in the FEDERAL REGISTER by the Committee for the Implementation of Textile Agreements as a company found to be illegally transshipping, closed or unable to produce records to verify production. In these circumstances, no additional information will be accepted or considered by CBP for purposes of determining the admissibility of such textile or apparel products.

[CBP Dec. 05-32, 70 FR 58013, Oct. 5, 2005, as amended by CBP Dec. 12-19, 77 FR 72719, Dec. 6, 2012]

§ 102.25 Textile or apparel products under the North American Free Trade Agreement.

In connection with a claim for NAFTA preferential tariff treatment involving non-originating textile or apparel products subject to the tariff preference level provisions of appendix 6.B to Annex 300-B of the NAFTA and Additional U.S. Notes 3 through 6 to

Section XI, Harmonized Tariff Schedule of the United States, the importer must submit to CBP a Certificate of Eligibility covering the products. The Certificate of Eligibility must be properly completed and signed by an authorized official of the Canadian or Mexican government and must be presented to CBP at the time the claim for preferential tariff treatment is filed under §181.21 of this chapter. If the port director is unable to determine the country of origin of the products, they will not be entitled to preferential tariff treatment or any other benefit under the NAFTA for which they would otherwise be eligible.

[CBP Dec. 05–32, 70 FR 58013, Oct. 5, 2005]

APPENDIX TO PART 102—TEXTILE AND APPAREL MANUFACTURER IDENTIFICATION

RULES FOR CONSTRUCTING THE MANUFACTURER IDENTIFICATION CODE (MID)

1. Pursuant to §102.23(a) of this part, all commercial importations of textile or apparel products, as defined in that paragraph, must identify on CBP Form 3461 (Entry/Immediate Delivery) and CBP Form 7501 (Entry Summary), and in all electronic data transmissions that require identification of the manufacturer, the manufacturer of such products through a manufacturer identification code (MID) constructed from the name and address of the entity performing the origin-conferring operations. The MID may be up to 15 characters in length, with no spaces inserted between the characters.

2. The first 2 characters of the MID consist of the ISO code for the actual country of origin of the goods. The one exception to this rule is Canada. “CA” is not a valid country code for the MID; instead, one of the appropriate province codes listed below must be used:

ALBERTA—XA
BRITISH COLUMBIA—XC
MANITOBA—XM
NEW BRUNSWICK—XB
NEWFOUNDLAND (LABRADOR)—XW
NORTHWEST TERRITORIES—XT
NOVA SCOTIA—XN
NUNAVUT—XV
ONTARIO—XO
PRINCE EDWARD ISLAND—XP
QUEBEC—XQ
SASKATCHEWAN—XS
YUKON TERRITORY—XV

3. The next group of characters in the MID consists of the first three characters in each of the first two “words” of the manufacturer’s name. If there is only one “word” in the

name, then only the first three characters from the name are to be used. For example, “Amalgamated Plastics Corp.” would yield “AMAPLA,” and “Bergstrom” would yield “BER.” If there are two or more initials together, they are to be treated as a single word. For example, “A.B.C. Company” or “A B C Company” would yield “ABCCOM,” “O.A.S.I.S. Corp.” would yield “OASCOR,” “Dr. S.A. Smith” would yield “DRSA,” and “Shavings B L Inc.” would yield “SHABL.” The English words “a,” “an,” “and,” “of,” and “the” in the manufacturer’s name are to be ignored. For example, “The Embassy of Spain” would yield “EMBSPA.” Portions of a name separated by a hyphen are to be treated as a single word. For example, “Rawles-Aden Corp.” or “Rawles—Aden Corp.” would both yield “RAWCOR.” Some names include numbers. For example, “20th Century Fox” would yield “20TCEN” and “Concept 2000” would yield “CON200.”

a. Some words in the title of the foreign manufacturer’s name are not to be used for the purpose of constructing the MID. For example, most textile factories in Macau start with the same words, “Fabrica de Artigos de Vestuario,” which means “Factory of Clothing.” For a factory named “Fabrica de Artigos de Vestuario JUMP HIGH Ltd.,” the portion of the factory name that identifies it as a unique entity is “JUMP HIGH.” This is the portion of the name that should be used to construct the MID. Otherwise, all of the MIDs from Macau would be the same, using “FABDE,” which is incorrect.

b. Similarly, many factories in Indonesia begin with the prefix PT, such as “PT Morich Indo Fashion.” In Russia, other prefixes are used, such as “JSC,” “OAO,” “OOO,” and “ZAO.” These prefixes are to be ignored for the purpose of constructing the MID.

4. The next group of characters in the MID consists of the first four numbers in the largest number on the street address line. For example, “11455 Main Street, Suite 9999” would yield “1145.” A suite number or a post office box is to be used if it contains the largest number. For example, “232 Main Street, Suite 1234” would yield “1234.” If the numbers in the street address are spelled out, such as “One Thousand Century Plaza,” no numbers representing the manufacturer’s address will appear in this section of the MID. However, if the address is “One Thousand Century Plaza, Suite 345,” this would yield “345.” When commas or hyphens separate numbers, all punctuation is to be ignored and the number that remains is to be used. For example, “12,34,56 Alaska Road” and “12-34-56 Alaska Road” would yield “1234.” When numbers are separated by a space, both numbers are recognized and the larger of the two numbers is to be selected. For example, “Apt. 509 2727 Cleveland St.” would yield “2727.”